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# DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION

☐ Submitted with Initial Filing

☒ Submitted after Initial Filing  
(according to 37 CFR 1.166-3 required)

 Attorney Docket No.: 32409

 Application Number: 09/508,828

 First Named Inventor: Markus Moser

 Filing Date: March 16, 2000

Group Art Unit: \_\_\_\_\_

Examiner Name: \_\_\_\_\_

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**SYNTHETIC POLYPEPTIDE FOR DIAGNOSING  
AND TREATING PRION-RELATED DISEASES**

PATENTANWALTE  
SCHAEFER & EMMEL

the specification of which (check only one item below)

☐ is attached hereto,

OR

☒ was filed on (MM/DD/YYYY) September 17, 1998 as United States Application Number or PCT International Application Number PCT/EP98/05924 and was amended on (MM/DD/YYYY) \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

FORM PTO

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I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d), or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Country	Prior Foreign Application Number(s)	Foreign Filing Date (MM/DD/YYYY)	Priority Claimed?
DE	197 41 607.1	September 20, 1997	Yes

As a named inventor, I hereby appoint each of the following as my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Charles B. Gordon, Reg. No. 16923  
 William C. McCoy, Reg. No. 16885  
 Richard H. Dickinson, Jr., Reg. No. 18622  
 Thomas P. Schiller, Reg. No. 20677  
 David B. Deimua, Reg. No. 22841  
 Joseph J. Corso, Reg. No. 25845  
 Howard G. Shimola, Reg. No. 26232

Jeffrey J. Sopko, Reg. No. 27676  
 John P. Montagna, Reg. No. 34226  
 James M. Moore, Reg. No. 32923  
 David E. Spaw, Reg. No. 34732  
 Michael W. Garvey, Reg. No. 35878  
 Paul R. Katterle, Reg. No. 36663  
 Richard M. Mescher, Reg. No. 38242  
 M. David Galin, Reg. No. 41767

Address all correspondence to Customer Number 000,116.

Please direct all correspondence and inquiries to David E. Spaw at (216) 579-1700.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(1) Inventor Name (joint): Markus Moser  
 Signature: [Signature]  
 Date: 5 July 2000  
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✓ (2) Inventor Name (joint): Bruno Oesch 2-0  
Signature: Bruno Oesch  
Date: 5 July 2000  
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✓ (3) Inventor Name (joint): Carsten Korth 3-0  
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Markus Moser, Bruno Oesch, and Carsten Korth

Title: SYNTHETIC POLYPEPTIDE FOR DIAGNOSING AND TREATING PRION-RELATED DISEASES

Docket No. 32409

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS

I hereby declare that I am an officer of the concern identified below and am empowered to act on its behalf.

The concern qualifies as a small business concern as defined in 37 C.F.R. § 1.9 for purposes of paying reduced fees, in that the number of employees thereof, including those of its affiliates, does not exceed 500 persons.

The exclusive rights to the invention described and claimed in the above-identified application have been conveyed to and remain with the concern, or if the rights are not exclusive, all other rights belong to small entities as defined in 37 C.F.R. § 1.9.

I acknowledge the duty to file, in this application, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

PRIONICS AG

By: B. Oesch

Name: Dr. Bruno Oesch

Title: Chairman / Exec. Director

Date: 23 Feb 2000

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